



**Testimony by
THE TRUSTEES OF RESERVATIONS
Regarding Wind-Power Potential for State-Owned Lands
DCR/DOER Public Listening Session
6:00 p.m., June 24, 2009
Berkshire Community College, Main Campus
KIII Theater, 1350 West Street, Pittsfield**

The Trustees of Reservations are pleased to have this opportunity to contribute to the Commonwealth's consideration of wind power development on state-owned lands.

Founded in 1891, The Trustees of Reservations own 100 reservations—more than 25,000 acres—from the Islands to the Berkshires. We manage these lands for the benefit and enjoyment of more than one million visitors each year. As a conservation organization, we favor development of clean, efficient, and renewable energy, and the conservation of energy resources. At the same time, we are keenly aware of the need to balance energy conservation with the values and qualities of the land that led us to protect it in the first place. We believe that the same basic principles should guide the Commonwealth's decisions about development of wind power facilities on its land.

Climate change is an extremely serious threat to the natural resources that we and the Commonwealth seek to protect, including scenic beauty and recreational opportunities. At the same time, we submit that tourism is an important part of the economic engine of the Berkshires and the seacoast, and these qualities and values could be damaged by large-scale wind energy installations that are proposed to mitigate the threat of climate change. Such development could also create obstacles to the adaptation which will be required of natural systems in order to cope with climate change; for example, access and maintenance roads may interfere with vertical or south-to-north migration pathways by fragmenting intact forest areas or other habitat types.

Protection of Article 97 lands: It is the position of The Trustees that development of wind energy resources on Article 97 lands, in almost all cases, would constitute a change of use that would trigger the Article 97 process and the alternatives analysis and other steps required by existing EOEEA policies. This Article 97 legislative process is almost certain to be highly charged and controversial, and we are not confident that the legislative end of that process will be sufficiently transparent and balanced to assure protection of natural and historic resources.

Because of all of these considerations, and in order to expedite the appropriate development of wind energy resources, The Trustees urge EOEEA to focus its attention on non-Article 97 lands. Indeed, The Trustees urge the Commonwealth to adopt the position that Article 97 lands are not to be considered for large-scale wind energy development until and unless:

1. comprehensive alternative energy siting legislation has been enacted, implemented, and given an opportunity to demonstrate its effectiveness;
2. an executive order has been issued which applies to all agencies holding Article 97 land the standards and procedures set forth in the now-pending Public Lands Protection Act;

3. all feasible opportunities for energy conservation at non-Article 97 state facilities have been identified and explored;
4. wind energy potential, both at utility scale and at local-use scale, has been identified and realized on private lands and non-Article 97 state lands.

At the same time, we recognize that some Article 97 lands, such as state parks and reservations, may be suitable for the installation of smaller scale wind energy projects to provide for the electricity needs of those facilities.

State-owned non-Article 97 lands: Even on non-Article 97 lands, wind energy development has the potential to impact qualities which are of great value to the public and which therefore may engender controversy. The Trustees urge the expeditious passage of the Energy Siting Reform Act (ESRA) so that the process of developing rigorous siting criteria can proceed. These criteria will be fundamental to implementing permitting processes that actually result in development of appropriate wind energy facilities at appropriate sites. As proposed in the ESRA, these criteria should take into account the scale of the proposed development (including construction and decommissioning and ancillary facilities), its potential impact on scenic, historic, cultural, and natural resources, and its potential impacts, positive and negative, on the local economy, including tourism.

Important related issues

Enhanced procedural protections for Article 97 lands: For many years, the Legislature has considered bills which would require a public process of full disclosure and consideration of alternatives for the change of use of Article 97 lands. Such procedures are especially important where the Commonwealth is itself proposing the change and should be adopted by executive order and applied to all land-holding state agencies *prior to* entertaining any proposals for the development of wind energy facilities on state land.

Collection and analysis of parcel-specific resource data: The Commonwealth already has in place highly sophisticated systems capable of analyzing and reporting data which is critical for establishing the criteria for making wind facility siting decisions. MassGIS and the Natural Heritage and Endangered Species Program provide information which is invaluable to the land conservation community, on an ongoing basis, as it strives to apply its limited resources to protect the most significant properties in Massachusetts. Enhanced financial support for these services would result in ever more finely tuned data being made available to state agencies and to the public as they work together to make well-founded decisions about the siting of energy facilities. Yet these same agencies in every budget cycle are the targets of efforts to cut or eliminate their funding. The Administration must advocate firmly and effectively for adequate and secure funding for this important data collection and analysis function.

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The Trustees of Reservations are 100,000 people like you who love the outdoors and the distinctive charms of New England, and believe in celebrating and protecting them for current and future generations. Founded by open space visionary Charles Eliot in 1891, The Trustees of Reservations 'hold in trust' and care for 100 spectacular public 'reservations' on 25,000 acres in 71 communities throughout Massachusetts, and help preserve special places across the state.